Appl. No. 09/063,335
Amdt. dated November 20, 2006
Reply to Final Office action of September 19, 2006

PATENT

REMARKS

This paper is in response to the Office Action of April 10, 2006. This Amendment is

submitted on November 7, 2006.

The Examiner rejected claims 1, 8 and 9 under 35 USC § 102(e) over Niblett et al.

(US Pat. No. 6,336,135). The Applicants respectfully traverse the rejections by the Office.

The Examiner rejected claims 2-7 and 10 - 16 under 35 USC § 103(a) over the

combination of Niblett and Lambert (U.S. Pat. No. 6,193,153). The Applicants respectfully

traverse the rejections by the Office.

Claims 1-16 are pending after entry of the present Response.

Rejection under 35 U.S.C § 102(e)

Claims 1, 8 and 9 have been rejected under 35 U.S.C § 102(e) over Niblett.

Applicants respectfully request that the Examiner remove the rejection because Niblett does

not teach all of the elements of Applicants' claimed invention.

Niblett teaches the use of session identifiers. The session identifiers enable a client

system which did not receive an expected full reply from an application program before a

timeout, to contact the server again later on and, using the session identifier, to determine

whether a response associated with that session identifier is still available (column 5, lines

27-34). Niblett teaches using a gateway program to construct session identifiers in response to

a users' request to initiate a program through a browser. The gateway program constructs a

session, identified by a session identifier which is unique within the gateway (column 12,

lines 33-40).

Applicants' claimed invention allows a user to disconnect from a stateless Human

Interface Device (HID) and maintain an active session associated with the user. Note that the

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user is disconnecting from the stateless HID, and not necessarily the stateless HID from the

data source. After the user disconnects from the stateless HID the active session associated

with the now disconnected user can be maintained on the data source. As will be discussed

below, Applicants' claimed invention is distinguishable from the teachings of Niblett.

The Examiner asserts that the browser disclosed in Niblett is analogous to Applicants'

stateless human interface device. The Examiner also contends that the Web server from

Niblett is analogous to Applicants' data source. Thus, in order for Niblett to teach Applicants'

claimed invention, Niblett must disclose that the web server would maintain an active session

associated with the *user* when the user is no longer connected or disconnected from the

browser. However, the cited portion of Niblett posited to teach that aspect of the claimed

invention discusses how client systems (systems that are displaying the browser) and servers

that have experienced asynchronous communications can reestablish communications using

session identifiers. Therefore, Niblett explains how session identifiers assist in reconnecting a

browser to a server. Similarly, Niblett fails to teach or even mention the result of a user

becoming disconnected from a browser. Thus, Niblett fails to teach all of the elements of

Applicants' claimed invention.

Niblett does disclose the result of a user becoming disconnected from the server.

According to Niblett, one of the three ways a session can terminate is a user electing to

abandon the application through a dialog with the gateway program (column 15, lines 18-19).

Niblett further describes that any form of session termination allows the gateway program and

serving application to release any session-specific resources. Furthermore, Niblett states, "A

session identifier will be rejected (i.e. will not trigger further communications other than a

rejection notification) if it is sent to the gateway program, either from the user or the serving

application after the session has been terminated." (column 15, lines 27-31). Note that this

portion of Niblett is silent regarding what happens if the user abandons or disconnects himself

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or herself from the browser. However, As Applicants claim that the data source (server) is configured to maintain an active session associated with a user when said user is connected or disconnected it would appear that Niblett is teaching the opposite of Applicants' claimed invention.

Niblett teaches a system that is capable of resuming a connection between a server and a browser and fails to teach a data source configured to maintain an active session associated with a user when the user is disconnected from a stateless HID. Niblett also teaches the rejection of session identifiers in response to the closing of a session in direct opposition to Applicants' claimed invention. Thus, Applicant respectfully requests that the rejection under 35 U.S.C. § 102(e) based on Niblett be removed.

Rejection under 35 U.S.C § 103(a)

Claims 2-7 and 10-16 have been rejected under 35 U.S.C § 103(a) as being unpatentable over Niblett and further in view of Lambert. Lambert discusses the use of acquiring biometric data. The teachings of Lambert do not cure the deficiencies of Niblett as discussed above. Combined, Niblett and Lambert fail to teach all elements of Applicant's claimed invention. Therefore, Applicant respectfully requests that the Examiner remove the 103(a) rejection and a notice of Allowance is respectfully requested.

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If the Examiner has any questions concerning the present amendment, the Examiner is

kindly requested to contact the undersigned at (408) 774-6911. If any other fees are due in

connection with filing this amendment, the Commissioner is also authorized to charge

Deposit Account No. 50-0805 (Order No SUNMP554). A duplicate copy of the transmittal is

enclosed for this purpose.

Respectfully submitted,
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